

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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LAUSTEVEION JOHNSON,

Plaintiff,

v.

PHOENIX PROGRAM, *et. al.*,

Defendants.

Case No. 3:22-cv-00044-RCJ-CLB

**ORDER GRANTING MOTION  
IDENTIFYING DEFENDANT**

[ECF No. 23]

Before the Court is Plaintiff Lausteveion Johnson's ("Johnson") motion identifying defendant and request for clarification. (ECF No. 23.) Defendants did not oppose or otherwise respond to the motion.

Johnson's motion seeks to clarify previously named defendant "Ambakur" as Amanda Amacker. (ECF No. 23.) The motion also requests clarification as to whether this is an acceptable method to identify this defendant or if Johnson is required to file a third amended complaint. (*Id.*) While Johnson's motion is not procedural proper—for the purposes of judicial economy and to prevent delay of this case, the Court finds that substitution of "Ambakur" for "Amanda Amacker" is appropriate. Additionally, the Court finds that the motion should be granted based on Defendants' failure to oppose the motion. See LR 7-2(d) (failure of opposing party to file points and authorities in response to motion constitutes a consent to granting of the motion).

Accordingly, **IT IS HEREBY ORDERED** that Johnson's motion is **GRANTED**. (ECF No. 23.)

**IT IS FURTHER ORDERED** that Defendant Amanda Amacker will be substituted for Defendant Ambakur.

**IT IS FURTHER ORDERED** that within 21 days of the date of entry of this order, the Attorney General's Office shall file notice advising the Court and Johnson of whether it can or cannot accept service on behalf of Defendant Amanda Amacker. If the Attorney

1 General's Office cannot accept service on behalf of Amanda Amacker, the Office shall file,  
2 under seal, but shall not serve on Johnson, the last known address of Amanda Amacker,  
3 if it has such information. If the last known address of Amanda Amacker is a post office  
4 box, the Attorney General's Office shall attempt to obtain and provide the last known  
5 physical address. If service cannot be accepted for Amanda Amacker, Johnson shall file  
6 a motion requesting issuance of a summons, specifying a full name and address for  
7 Amanda Amacker. If the Attorney General has not provided last-known-address  
8 information, Johnson shall provide the full name and address for Amanda Amacker.

9 **IT IS SO ORDERED.**

10 **DATED:** April 5, 2023.

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13 **UNITED STATES MAGISTRATE JUDGE**  
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